

AMENDMENT and RESPONSE

In connection with the accompanying Request for Continuing Examination and in response to the Final Office Action dated September 7, 2004, kindly amend the application as follows:

IN THE CLAIMS:

Kindly amend the claims as shown in the listing of claims above.

REMARKS

Applicant thanks the Examiner for the courteous Final Action on the merits.

Drawings

The acceptance of the drawings filed on July 6, 2004 is acknowledged with thanks.

Replacement Drawings are being filed concurrently herewith with a letter to the Chief Draftsperson.

Allowable Subject Matter

The allowance previously of claims 6-10 is noted with appreciation. These claims are amended as shown above for increased clarity. The Examiner has indicated that Claim 4 would be allowable if rewritten in independent form. Accordingly, Claim 4 has been rewritten in independent form.

Restriction

The Examiner has requested that Claims 12-19, which were previously withdrawn from the application, be cancelled in the present response. Accordingly, Applicant has

- cancelled Claims 12-19 as shown in the listing of claims above.

Claim Rejection – 35 U.S.C. §103(a) (U.S. Patent No. 6,320,729 Coon in view of 6,268,981 Coon et al)

Claims 1-3, 5 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Coon (U.S. Patent No. 6,320,729) in view of Coon et al. (U.S. Patent No. 6,268,981).

With respect to claim 1 and claims dependent thereon, Coon et al teaches a conductive laminate on a load beam. Coon et al teaches upstanding tabs on a flexure comprised solely of metal apparently that cooperate with load beam apertures; the tabs and apertures are intersected but only transversely disposed not longitudinally axially aligned, and there is no teaching of alignment. Obviously, the flexure in Coon is fixed to the load beam in the conventional way and thus aligned then; the tabs merely prevent undue movement of the flexure away from the load beam as described by Coon. The slack fit of the tabs in their slots obviously will not provide any suitable alignment so even the drawings do not support the Action hypothesis. Claim 1 describes the locator structures as:

“comprising spaced and longitudinal axially aligned raised sections raised out of the general plane of said load beam, said raised sections comprising opposed sloping portions and top portion generally coplanar with said load beam and supported by said sloping portions.”

In Coon et al reversing the location of a conductive laminate metal layer to be away from the load beam protects the laminate mechanically and electrically and supports the metal layer with descending tabs 46, 52. There is no intersecting of these tabs with another

structure. The Action cites Coon et al's teaching of a load beam and a conductive laminate to support the obviousness of having a conductive laminate in Coon. But to make out a proper combination obviousness rejection of claim 1, the Coon et al conductive laminate must not just be on the load beam but be pierced by (second plural) locator structures, since the combination, even if it puts a conductive laminate with a load beam, lacks a teaching in the combination and on this record of aligning a conductive laminate with a load beam as claimed in claim 1 and claims dependent thereon.

Further the shape of the first locator structures recited in claim 1 are not found in the references.

The Action Response to Arguments has been very helpful in understanding the Examiner's positions. It is believed that the term "intersecting" subsumes penetration and does not mere include overlap as even the definition cited assumes that the circles interpenetrate (which is necessarily depicted graphically by overlap in a two-dimensioned view) in order to find intersection. Mere overlap occurs with parallel planes; intersection occurs in a single plane, by definition.

As far as connecting is concerned, it is thought that intersecting parts define connection, so the Examiner's statement that the claim does not include connecting is seen as incorrect.

Conclusion

Reconsideration and allowance of all claims are requested.

Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Robert Summers and Amanullah KHAN
Title: A Method Of Assembling In A Predetermined Alignment A Load Beam And Flexible Circuit
Serial No.: 10/045,471
Filed: November 8, 2001
Art Unit: 3729
Examiner: Paul D. Kim
Docket No.: MGNC-45c
Date: 01/07/05
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



LETTER TO THE CHIEF DRAFTSPERSON

Sir:

In furtherance of the Examiner's acceptance of the proposed drawing changes submitted with the Patent Office in Applicant's Response to Office Action dated February 9, 2004, enclosed are four (4) sheets of Replacement Drawings (labeled "REPLACEMENT SHEETS"). The enclosed Replacement Drawings correct several minor errors in the original drawings. The changes have been approved by the Examiner as noted in the September 7, 2004 Office Action for the above-identified application. No new matter is added.

Respectfully submitted,



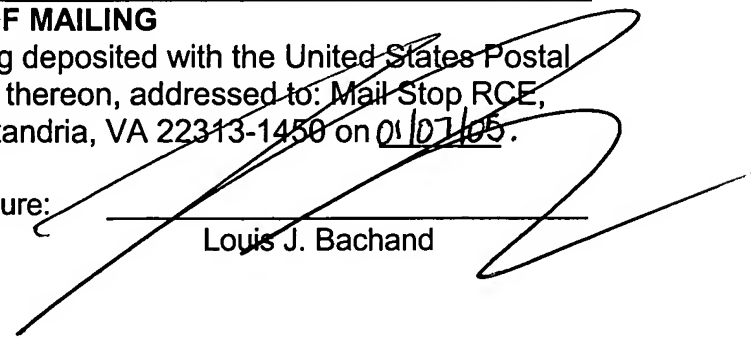
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage fully prepaid thereon, addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 01/07/05.

Date: 01/07/05

Signature: 

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